IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

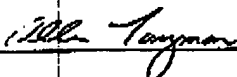|	
In re: U.S. Patent Application of:)	Docket No: SAA-5-2
Andrew G. SWALES et al.)	
)	Examiner: LEZAK, Arrienne M
Application No. 10/003,123)	
)	Conf No: 6275
Filed: November 26, 2001)	
)	Art Unit: 2143
For: MESSAGING APPLICATION LAYER)	
OVER ETHERNET TO TRANSPORT)	
LAYER (TCP) COMMUNCIATIONS)	
METHOD AND APPARATUS FOR A)	
MODULAR TERMINAL)	
INPUT/OUTPUT SYSTEM)	

37 CFR 1.131 DECLARATION OF Allan Tanzman

I, Allan Tanzman, declare the following:

1. I am an inventor on this patent application. Previously, I worked in various engineering roles for Schneider Automation Inc. and its predecessor corporations, including the time of the present invention and application, between 1996 and 1999.

2. I worked with Andrew Swales and Dean Papadopoulos on the invention the "MESSAGING APPLICATION LAYER OVER ETHERNET TO TRANSPORT LAYER (TCP) COMMUNCIATIONS METHOD AND APPARATUS FOR A MODULAR TERMINAL INPUT/OUTPUT SYSTEM" This invention is the subject of the 10/003,123 patent application (Docket Number SAA-5-2) currently pending at the USPTO.

3. The project that was built upon the invention was code named "Ethernet IO Network" or "Ethernet COM/Adapter" This term is used to describe the project in the attached supporting documentation.

4. The invention described in the "MESSAGING APPLICATION LAYER OVER ETHERNET TO TRANSPORT LAYER (TCP) COMMUNCIATIONS METHOD AND APPARATUS FOR A MODULAR TERMINAL INPUT/OUTPUT SYSTEM"

(10/003,123) patent application (Docket Number SAA-5-2) currently pending at the USPTO was invented at least as early as July 23, 1997. The invention is referenced on page 5-13 of the "Product Specification of Ethernet COM/Adapter" dated July 23, 1997.

5   The invention described in the "MESSAGING APPLICATION LAYER OVER ETHERNET TO TRANSPORT LAYER (TCP) COMMUNCIATIONS METHOD AND APPARATUS FOR A MODULAR TERMINAL INPUT/OUTPUT SYSTEM" (10/003,123) patent application (Docket Number SAA-5-2) currently pending at the USPTO was reduced to practice at least as early as September 3, 1997. This is documented in the attachment of "End of Phase Review: T3 Qualification Phase Ethernet IO Network" on page two where it states that the build prototype was completed on September 3, 1997.

6.   During the time between July 23, 1997 and July 16, 1998, Schneider Automation Inc worked diligently on Ethernet COM/Adapter to complete the product as seen on pages 7-9 of the "End of Phase Review: T3 Qualification Phase Ethernet IO Network".

7.   From July 16, 1998 until October 8, 1998 it is my understanding that a patent application was diligently being prepared for the present application.

8.   Schneider Automation Inc. is certified under ISO9001 and all of the attached documents were managed under the ISO 9001 certified procedures. These procedures attest to the integrity of our document management system.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

_____
Allan Tanzman

Date: March 29, 2004

2

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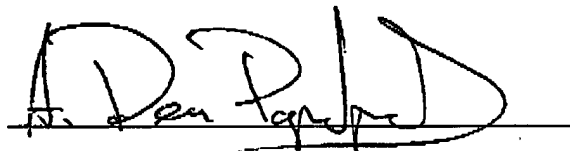
Art Unit: 2143

37 CFR 1.131 DECLARATION OF <u>A. Dean Papadopoulos</u>

I, A. Dean Papadopoulos, declare the following:

1. I am an inventor on this patent application. Previously, I worked in various engineering roles for Schneider Automation Inc. and its predecessor corporations, including the time of the present invention and application, between 1996 and 1999.

2. I worked with Andrew Swales and Allan Tanzman on the invention the "MESSAGING APPLICATION LAYER OVER ETHERNET TO TRANSPORT LAYER (TCP) COMMUNCIATIONS METHOD AND APPARATUS FOR A MODULAR TERMINAL INPUT/OUTPUT SYSTEM". This invention is the subject of the 10/003,123 patent application (Docket Number SAA-5-2) currently pending at the USPTO.

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A. Dean Papadopoulos

Date: 3/29 _____ 2004

2